IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.2524 OF 2007

Pralhad Maruti Kalake ..Petitioner.
Vs.
Janardan Ganpati Toraskar ..Respondent.

Mr.A.M.Kulkarni, adv. for the Applicant.

CORAM : J.H.BHATIA, J.
DATE : JULY 20, 2007.

P.C.

1. Heard Mr.Kulkarni the learned counsel for the petitioner, who was original plaintiff. Claiming to be in possession of suit land on the ground that he was protected tenant of the land, he sought temporary injunction against the respondent. The application was rejected by the trial Court. Appeal was also dismissed, hence this petition.

2. The Courts below noted that the petitioner had moved an application before the Tehsildar under Section 43-A (1)(b) of the B.T. & A.L. Act, 1948 to purchase the suit property on the basis that he was protected tenant. That application was rejected holding that he was not tenant. His appeal was dismissed. Though his Second Appeal was allowed by the Additional Collector, that order was set aside by the Additional Commissioner in the revision filed by the respondent. In view of

these circumstances, there is no fault in the impugned order.

3. Petition stands dismissed summarily.

[J.H.BHATIA, J.]